

*REMARKS*

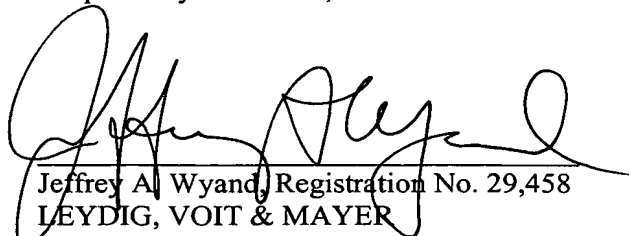
In response to the Office Action mailed July 15, 2004, Applicants request reconsideration.

Claims 1-20 are pending in this patent application. All of those claims have now been rejected as anticipated by a publication to Kokubo et al. that was supplied in an Information Disclosure Statement. However, this publication is not prior art to the present patent application because it reports the work of one of the inventors and was published less than one year prior to the filing date of the present patent application.

The publication of interest identified as co-authors, Yoshihiro Kokubo, Tadashi Kawai, and Iso Ohta. The inventors of the present patent application are Shingi Abe and Yoshihiro Kokubo. Neither of the co-authors, Mr. Kawai and Mr. Ohta, contributed to the invention that is claimed in the present patent application although they were academic co-workers with Mr. Kokubo and contributed to the publication. Rather, the other named co-inventor, Mr. Abe, who was not identified as a co-author of the publication, contributed to the invention and was properly named as a co-inventor of this patent application.

In order to demonstrate that the cited publication is not prior art, pursuant to MPEP 2132.01 and *In re Katz*, 215 USPQ 14 (CCPA 1982), Applicants submit the Declaration of Yoshihiro Kokubo, proving that the publication is not prior art to the patent application. Accordingly, the rejection must be withdrawn and all of claims 1-20 allowed.

Respectfully submitted,



Jeffrey A. Wyand, Registration No. 29,458

LEYDIG, VOIT & MAYER

700 Thirteenth Street, N.W., Suite 300

Washington, DC 20005-3960

(202) 737-6770 (telephone)

(202) 737-6776 (facsimile)

Date:

JAW:ves

October 5, 2004